

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rule 72.2)

To:

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Applicant's or agent's file reference
P8051PCT

IMPORTANT NOTIFICATION

International application No.
PCT/EP2003/011450

International filing date (day/month/year)
16 October 2003 (16.10.2003)

Applicant
BÄR, Gerd

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

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3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

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Translation

PCT COOPERATION TREATY

PCT/EP2003/011450



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P8051PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/011450	International filing date (<i>day/month/year</i>) 16 October 2003 (16.10.2003)	Priority date (<i>day/month/year</i>) 26 October 2002 (26.10.2002)
International Patent Classification (IPC) or national classification and IPC B60P 1/44		
Applicant BÄR, Gerd		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet. <input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of _____ sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 02 April 2004 (02.04.2004)	Date of completion of this report 06 May 2004 (06.05.2004)
Name and mailing address of the IPEA/EP Facsimile No.	Authorized officer Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International Application No.

PCT/EP2003/011450

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☒ the description:
 pages _____ 1-7 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the claims:
 pages _____ 1-11 _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the drawings:
 pages _____ 1/3-3/3 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	1-11	YES
	Claims		NO
Inventive step (IS)	Claims	1-11	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-11	YES
	Claims		NO

2. Citations and explanations

This report makes reference to the following documents:

- D1: EP-A-0 662 405 (BAER GERD)
12 July 1995 (1995-07-12)
- D2: EP-A-0 629 524 (RICON UK LTD)
21 December 1994 (1994-12-21)
- D3: PATENT ABSTRACTS OF JAPAN vol. 1996, no. 10, 31
October 1996 (1996-10-31) & JP 08 150869 A
(NIPPON RIFUTO KK), 11 June 1996 (1996-06-11)
- D4: FA. TRÖSCH AG: 'Betriebsanleitung Trösch
Cargolift Hydfalt 3' HOMEPAGE FA. TRÖSCH AG
SCHWEIZ, [Online] July 2002 (2002-07),
XP002232265, found on the Internet:
<URL:http://www.troesch-ag.ch/PDF/
Betriebsanleitungen/
01125377_Tr_hydfalt_d_0702.pdf>
[found 2003-02-19]

Novelty and inventive step

D1, which is considered to represent the prior art closest to the subject matter of claim 1, discloses (the references in parentheses are to this document):

A lifting platform for a vehicle with a lifting mechanism for raising and lowering a platform (column 1, paragraph 2) and guide rails in which the lifting mechanism is retained in a suspended manner by a vertical carriage (claim 1) and can be slidingly displaced between a working position located behind the vehicle and a travelling position located below the vehicle (column 3, lines 29-39; drawings 1 and 2), wherein said carriage has guide elements with multiple sliding pieces (drawing 3).

The subject matter of claim 1 differs from the known lifting platform (D1) in that a front guide element is fitted with a top-side sliding piece and a rear guide element is fitted with an under-side sliding piece, in that the front guide element is mounted from above on the carriage and locked there to the carriage at right angles to the direction of mounting and/or in that the rear guide element is mounted on the carriage from below in an aperture of the carriage and locked to the carriage at right angles to the direction of mounting.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem addressed by the present invention may therefore be considered that of further improving the lifting platform according to D1 with respect to the ease with which it can be serviced and installed.

None of the citations in the search report (D1-D4) either discloses the mountability and easy locking of the sliding pieces indicated in the characterizing part of claim 1 or suggests such a solution.

The solution proposed in claim 1 of the present

application therefore involves an inventive step (PCT Article 33(3)).

Claims 2-11 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and independent step.

Further observations

Pursuant to PCT Rule 5.1, the description should have cited D1 as being the closest prior art and briefly outlined the relevant prior art disclosed therein.